

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

Corey Gaynor,

*Petitioner,*

v.

Kenneth Holibaugh, et al.,

*Respondents.*

CIVIL ACTION

Nos. 23-3562; 23-3708

**ORDER**

**AND NOW**, this 10th day of February 2025, upon careful and independent consideration of the pleadings (ECF Nos. 1 and 12<sup>1</sup> and ECF No. 1 in Case 23-3708) and state-court records (ECF Nos. 12-3–12-21), and after review of the Report and Recommendation of United States Magistrate Judge Carol Sandra Moore Wells (ECF No. 13) and Petitioner’s objections thereto (ECF No. 14), it is hereby **ORDERED** that:

1. The objections are **OVERRULED**;
2. The Report and Recommendation is **APPROVED** and **ADOPTED**;
3. The Petition for a Writ of Habeas Corpus is **DENIED** and **DISMISSED**;
4. A certificate of appealability **SHALL NOT** issue, in that the Petitioner has not made a substantial showing of the denial of a constitutional right nor demonstrated that reasonable jurists would debate the correctness of the procedural aspects of this decision. *See* 28 U.S.C. 2253(c)(2); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000); and
5. The Clerk of Court shall mark this case **CLOSED** for statistical purposes.

---

<sup>1</sup> Unless otherwise noted, citations to ECF Numbers correspond to the docket in case 23-3562.

BY THE COURT:

/s/ Gerald J. Pappert  
GERALD J. PAPPERT, J.